

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA****REPORT AND RECOMMENDATION OF OFFENDER NON-COMPLIANCE**

Offender Name: TROY BOYD

Docket Number: 1:98CR05294-03 REC

Judicial Officer: Honorable Robert E. Coyle
Senior United States District Judge
Fresno, California

Original Sentence Date: April 3, 2000

Original Offense: 21 USC 846 and 841(a)(1), Conspiracy to Distribute and Possess
With Intent to Distribute Cocaine

Original Sentence: 235 months BOP, 60 months supervised release, \$100 special
assessment.

Special Conditions: 1) Search and seizure; 2) Financial access; 3) Participate in a
correctional treatment program to obtain assistance for drug or
alcohol abuse; 4) Drug testing; 5) Shall not possess a pager or
cellular phone; 6) Participate in a co-payment plan for treatment; and
7) Register as a narcotics offender.

Other Court Action: 10/29/2001: The defendant's sentence was amended to 60 months
in the Bureau of Prisons.

05/24/2005: The Court was noticed regarding a new law violation;
however, no action was taken as the allegations underlying the
offense could not be substantiated.

Type of Supervision: Supervised Release

Supervision Commenced: August 22, 2003

NON-COMPLIANCE SUMMARY

The purpose of this report is to advise the Court of an alleged violation of the terms of supervision. The Probation Officer has developed a plan to dispose of the alleged non-compliance with action less than revocation, and the Court is requested to approve the plan to address the non-compliance.

1. NEW LAW VIOLATION

Details of alleged non-compliance: On September 15, 2005, the defendant was arrested by the Metropolitan Nashville Police Department following a Sealed Indictment which charged him and six others with a violation of Conspiracy to Sell 300 grams or more of a Controlled Substance (cocaine) between November 19 and November 21, 2004, which is in violation of the condition that he not commit another federal, state or local crime.

2. POSSESSING AND HAVING ACCESS TO A CELL PHONE WITHOUT THE ADVANCE PERMISSION OF THE PROBATION OFFICER

Details of alleged non-compliance: According to police records of telephone intercepts of conversations between the defendant and Eric Tyreese Davis (relevant to the above Indictment), it is apparent the defendant possessed and had access to a cell phone without the permission of the probation officer.

3. ASSOCIATION WITH A CONVICTED FELON WITHOUT THE U.S. PROBATION OFFICER'S APPROVAL

Details of alleged non-compliance: The defendant had numerous telephone conversations and meetings with a convicted felon (Eric Tyreese Davis) in connection with the above mentioned indictment.

United States Probation Officer Plan/Justification: The defendant was released from the Bureau of Prisons on August 22, 2003. Since his release, he has resided in Nashville, Tennessee, and maintained stable employment. As noted above, the defendant seems to have involved himself in additional criminal activity. At this time, the defendant denies any involvement in this conspiracy and is out on a \$75,000 surety bond. The defendant's probation officer in Tennessee has indicated there does not appear to be overwhelming evidence against him with respect to the conspiracy charge. Therefore, his probation officer is requesting no action be taken at this time and that jurisdiction of this case be transferred to the Middle District of Tennessee.

Attached for the Court's review and consideration is a Probation Form 22, Transfer of Jurisdiction. Following the transfer of jurisdiction, all future court matters pertaining to this violation will be handled by the District Court in the Middle District of Tennessee.

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RE: BOYD, TROY
Docket Number: 1:98CR05294-03 REC

Respectfully submitted,

/s/ Tim Mechem

TIM MECHEM
United States Probation Officer
Telephone: (559) 498-7396

DATED: January 31, 2006
Fresno, California
TDM

REVIEWED BY: /s/Bruce Vasquez
Bruce A. Vasquez
Supervising United States Probation Officer

THE COURT ORDERS:

- ☒ **The Court Approves Probation Officer's Plan, and Orders No Further Action Be Taken At This Time.**
- ☐ **Submit a Request for Modifying the Conditions or Term of Supervision.**
- ☐ **Submit a Request for Warrant or Summons.**
- ☐ **Other:**

February 3, 2006

/s/ OLIVER W. WANGER

Date

Name of Judicial Officer

cc: United States Probation
Kevin Rooney, Assistant United States Attorney
Roger Vehrs, Defense Counsel

Attachment: PSR (Sacramento only)